

COURSE OUTLINE		
TERM: Fall 2018	COURSE NO: LAW 344	
INSTRUCTOR:	COURSE TITLE: Elder Law	
OFFICE: LOCAL: E-MAIL:	SECTION NO(S):	CREDITS: 3
OFFICE HOURS:		
COURSE WEBSITE:		

Capilano University acknowledges with respect the Lil'wat, Musqueam, Squamish, Sechelt, and Tsleil-Waututh people on whose territories our campuses are located.

COURSE PREREQUISITES

LAW 101, LAW 110, LAW 210, and LAW 200 or LAW 300.

COURSE FORMAT

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams.

CALENDAR DESCRIPTION

This course will examine the challenges confronting older adults in British Columbia, by looking at the legal framework within which they operate. Upon completion of this course, a student should be able to identify and analyze various legal issues relating to: assessment of mental capacity, independence, privacy, ethical obligations of caregivers and others, and the preparation of legal documents such as Powers of Attorney and Representation Agreements.

COURSE NOTE

LAW 344 is an approved Self and Society course for Cap Core requirements.

REQUIRED TEXTS AND/OR RESOURCES

SODEN, Ann. *Advising the Older Client* (Markham, ON: LexisNexis Canada Inc.)

COURSE STUDENT LEARNING OUTCOMES

On successful completion of this course, students will be able to do the following:

1. Effectively describe, explain, research and apply the common law and statutory rules, principles and exceptions in the following areas:
 - (a) Elder abuse including physical, emotional, financial abuse and neglect;
 - (b) Ethical issues including assessment of mental capacity, independence, privacy;
 - (c) Rights and responsibilities in different contexts: long term care residents, criminal law, family law;
 - (d) Discrimination
 - (e) Impact of legal documents including Power of Attorney, Representation Agreement.

2. Prepare written and oral analyses of problems and cases.
3. Work in study groups to analyse and synthesize the relevant common law and statutory rules, principles and exceptions.
4. Discuss current events relating to older persons on a local, national and international level.

Students who complete this Self & Society course will be able to do the following:

1. Identify potential root causes of local/global problems and how they affect local/global cultures, economies, politics, and policies;
2. Assess and evaluate individual and collective responsibilities within a diverse and interconnected global society;
3. Synthesize a range of differing community perspectives on ethics and justice and explain how these perspectives can inform structural change;
4. Explain how contexts (e.g. cultural, historical, colonial, economic, technological) shape identity formation and social structures.

COURSE CONTENT

Week	Topic
Week 1	Introduction: What is Elder Law?
Week 2	Acting for the Older Client
Week 3	Guardianship of the Person and the Estate
Week 4	Enduring Powers of Attorney and Health Care Directives
Week 5	Abuse and Neglect
Week 6	Discrimination
Week 7	MIDTERM EXAMINATION
Week 8	Residence
Week 9	Equity and the Older Adult
Week 10	Criminal Law

Week 11	Family Law
Week 12	Group Presentations/Assignment
Week 13	Review
Weeks 14 and 15	Final Examination

EVALUATION PROFILE

Midterm examination	30%
Individual Research Assignment	20%
Group Presentation/Assignment	15%
Final Examination	<u>35%</u>
TOTAL:	100%

GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

Incomplete Grades

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

Late Assignments

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

Attendance

Students are expected to attend all classes and associated activities.

English Usage

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

Electronic Devices

Students may use electronic devices during class for note-taking only.

On-line Communication

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or Moodle; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

UNIVERSITY OPERATIONAL DETAILS**Tools for Success**

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <http://www.capilanou.ca/services/>

Capilano University Security: download the [CapU Mobile Safety App](#)

Policy Statement (S2009-06)

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Cheating and Plagiarism, Academic Probation and other educational issues. These and other policies are available on the University website.

Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy S1999-01 for more information: <http://www.capilanou.ca/about/governance/policies/Policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

Academic dishonesty is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

Cheating: Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

Fraud: Creation or use of falsified documents.

Misuse or misrepresentation of sources: Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

Plagiarism: Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

Self-Plagiarism: Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

Prohibited Conduct: The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

Sexual Violence and Misconduct

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including [B.401 Sexual Violence and Misconduct Policy](#) and [B.401.1 Sexual Violence and Misconduct Procedure](#).

Emergencies: Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.